

**JEFFERY CARLOS HALE, ON
BEHALF OF HIMSELF AND ALL
OTHERS SIMILARLY SITUATED,**

V.

CNX GAS COMPANY, LLC, ET AL.,

Case No. 1:10CV00059

ORDER

By: James P. Jones
United States District Judge

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Based upon my de novo review of the Objections, it is **ORDERED** as follows:

1. All of the Objections are OVERRULED;
2. The Report and Recommendations (ECF No. 68) are fully ACCEPTED;
3. The Motion to Dismiss Plaintiff's Complaint by CNX Gas Company LLC (ECF No. 29) is GRANTED IN PART AND DENIED IN PART in accord with the Report and Recommendations;
4. No objections were filed to the Report and Recommendations by defendant Torch Oil & Gas Company and its Motion to Dismiss Plaintiff's Complaint (ECF No. 35) is GRANTED IN PART AND DENIED IN PART in accord with the Report and Recommendations; and
5. The Motion to Dismiss by the Commonwealth of Virginia (ECF No. 49) is GRANTED in accord with the Report and Recommendations.

ENTER: September 28, 2011

/s/ James P. Jones
United States District Judge